

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 13-CR-138 (NAM)

CARMEN D'AGOSTINO,

(Hon. Norman A. Mordue)

Defendant.

DEFENDANT'S MOTION TO CONTINUE TRIAL

Comes now the Defendant Carmen D'Agostino, through his undersigned counsel, and hereby moves this Honorable Court to generally continue trial of this case because of the illness of the undersigned. As grounds herefor, the undersigned defense counsel states that he became ill on Tuesday, November 5, nonetheless traveled to Syracuse on November 6, was bedridden the following day, visited St. Joseph's Physicians Urgent Care in Fayetteville on Friday, November 8, and was prescribed Azithromycin, a powerful anti-biotic. However, such powerful anti-biotic has been completely ineffective and defense counsel at present has difficulty in speaking and hearing, both of which are essential for trial.

Respectfully submitted this the 11th day of November, 2013.

/s/ Lowell H. Becraft, Jr.
Lowell H. Becraft, Jr., ASB 5005-F66L
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CERTIFICATE OF SERVICE

I hereby certify that on this date, November 11, 2013, I electronically transmitted this notice to the Clerk of the Court using the CM/ECF system for filing, which will send notification of such filing to the following:

AUSA Gwendolyn E. Carroll
Office of the United States Attorney - Syracuse
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Syracuse, NY 13261-7198

/s/ Lowell H. Becraft, Jr.
Lowell H. Becraft, Jr.